

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

<b>PHYLLIS TURNER</b>	§	<b>PLAINTIFF</b>
	§	
<b>V.</b>	§	<b>1:05CV288LG-RHW</b>
	§	
<b>FRESENIUS MEDICAL CARE NORTH AMERICA AND LIBERTY ASSURANCE CO. OF BOSTON</b>	§ § §	<b>DEFENDANTS</b>

**JUDGMENT**

This matter having come on to be heard on the Motion for Summary Judgment filed by the Defendants Fresenius Medical Care North America and Liberty Assurance Company of Boston [16], the Court, after a full review and consideration of the Defendant's Motion, the pleadings on file and the relevant legal authority, finds that in accord with the memorandum opinion and order entered herewith,

**IT IS ORDERED AND ADJUDGED** that because there is no genuine issue as to any material fact, judgment is rendered in favor of the Defendants pursuant to FED. R. CIV. P. 56. Plaintiff's case is hereby dismissed with prejudice against the Defendant. All remaining pending motions are hereby rendered moot.

**SO ORDERED AND ADJUDGED** this the 22<sup>th</sup> day of September, 2006.

*s/ Louis Guirola, Jr.*  
\_\_\_\_\_  
LOUIS GUIROLA, JR.  
UNITED STATES DISTRICT JUDGE